

Brooker

SEP. 19. 2006 1:23PM MOFO 28TH FL

MORRISON | FOERSTER

425 MARKET STREET
 SAN FRANCISCO
 CALIFORNIA 94105-2482
 TELEPHONE: 415.268.7000
 FACSIMILE: 415.268.7522
 WWW.MOFO.COM

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NO. 036 P. 1

To:

NAME:	FACSIMILE:	TELEPHONE:
U.S. Patent and Trademark Office ATTN: PCT	(571) 273-3201	

FROM: Peter Yim
 Reg. No. 44,417

DATE: September 19, 2006

Number of pages with cover page:	13	
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Preparer of this slip has confirmed that facsimile number given is correct:

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Comments:**PLEASE PROCESS THE ATTACHED.**

U.S. Patent Application Serial No. 10/556,239
 For: PROCESSES AND DEVICES FOR THE LIQUID TREATMENT
 OF SUSPENDED PARTICLES
 By: Thomas Schnelle et al.
 Our Reference: 60621-20001.00

Attached is the following:

- 1) Transmittal Letter to the United States Designated/Elected Office Concerning a Submission Under 35 USC 371 (in duplicate, 6 pages)
- 2) Notification of Missing Requirements Under 35 USC 371 (copy, 2 pages) 10/18/2006 PBOOKER 60000003 031952 10556239
- 3) Declaration (signed, 1 page)
- 4) Statement Under 37 CFR 3.73(b) w/copy of Assignment (2 pages) 130.00 DA
- 5) Power of Attorney (1 page)

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DUPLICATE COPY FOR FEE PROCESSING

NO. 036 P. 7

PTO-1380 (Rev. 07-2005)

Approved for use through 03/31/2007. OMB 0651-0021
U. S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 606212000100
INTERNATIONAL APPLICATION NO. PCT/EP2004/004981	INTERNATIONAL FILING DATE May 10, 2004	U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/556,239
TITLE OF INVENTION PROCESSES AND DEVICES FOR THE LIQUID TREATMENT OF SUSPENDED PARTICLES		
APPLICANT(S) FOR DO/EO/US Thomas SCHNELLE et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(l)). The submission must include items (5), (6), (8) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2))</p> <ul style="list-style-type: none">a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau)b. <input type="checkbox"/> has been communicated by the International Bureau.c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <ul style="list-style-type: none">a. <input type="checkbox"/> is attached heretob. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <ul style="list-style-type: none">a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau) (2 pages)b. <input type="checkbox"/> have been communicated by the International Bureau.c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.d. <input type="checkbox"/> have not been made and will not be made. <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)) (signed, 1 page)</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 58 (35 U.S.C. 371(c)(5)).</p>		
Items 11 to 20 below concern document(s) or information included:		
<p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.2B and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter (1 page).</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the International application under 35 U.S.C. 154(d)(4).</p>		

PTO-1390 (Rev. 07-2005)

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U. S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/556,239	INTERNATIONAL APPLICATION NO. PCT/EP2004/004981	ATTORNEY'S DOCKET NUMBER 606212000100																																																																																				
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<p>The following fees have been submitted</p> <table border="1"> <tr> <td>21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a))</td> <td>\$300</td> <td>CALCULATIONS</td> <td>PTO USE ONLY</td> </tr> <tr> <td>22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). All other situations</td> <td>\$50 \$200</td> <td>\$ 0.00</td> <td></td> </tr> <tr> <td>23. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). Search fee (37 CFR 1.446(c)(2)) has been paid on the international application to the USPTO as an International Searching Authority. International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the ISA. All other situations</td> <td>\$100 \$400 \$500</td> <td>\$ 0.00</td> <td></td> </tr> <tr> <td colspan="2">TOTAL OF 21, 22 and 23 =</td> <td>\$ 0.00</td> <td></td> </tr> <tr> <td colspan="2"><input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (c) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.</td> <td></td> <td></td> </tr> <tr> <td>Total Sheets</td> <td>Extra Sheets</td> <td>Number of each additional 50 or fraction thereof (round up to a whole number)</td> <td>RATE</td> </tr> <tr> <td>-100 =</td> <td>0 /50 =</td> <td></td> <td>x \$250.00</td> </tr> <tr> <td colspan="2">Surcharge of \$130 for furnishing any of the search fee, examination fee, or the both or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).</td> <td>\$ 130.00</td> <td></td> </tr> <tr> <td>CLAIMS</td> <td>NUMBER FILED</td> <td>NUMBER EXTRA</td> <td>RATE</td> </tr> <tr> <td>Total claims</td> <td>45 - 45 =</td> <td>25</td> <td>x 50.00</td> </tr> <tr> <td>Independent claims</td> <td>4 - 3 =</td> <td>1</td> <td>x 200.00</td> </tr> <tr> <td colspan="2">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ 360.00</td> <td>0.00</td> </tr> <tr> <td colspan="2"></td> <td>TOTAL OF ABOVE CALCULATIONS =</td> <td>\$ 130.00</td> </tr> <tr> <td colspan="2"><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.</td> <td></td> <td></td> </tr> <tr> <td colspan="2"></td> <td>SUBTOTAL =</td> <td>\$ 130.00</td> </tr> <tr> <td colspan="2">Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(l)).</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="2"></td> <td>TOTAL NATIONAL FEE =</td> <td>\$ 130.00</td> </tr> <tr> <td colspan="2">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="2"></td> <td>TOTAL FEES ENCLOSED =</td> <td>\$</td> </tr> <tr> <td colspan="2"></td> <td>Amount to be refunded:</td> <td>\$</td> </tr> <tr> <td colspan="2"></td> <td>Amount to be charged</td> <td>\$</td> </tr> </table>			21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a))	\$300	CALCULATIONS	PTO USE ONLY	22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). All other situations	\$50 \$200	\$ 0.00		23. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). Search fee (37 CFR 1.446(c)(2)) has been paid on the international application to the USPTO as an International Searching Authority. International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the ISA. All other situations	\$100 \$400 \$500	\$ 0.00		TOTAL OF 21, 22 and 23 =		\$ 0.00		<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (c) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.				Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	-100 =	0 /50 =		x \$250.00	Surcharge of \$130 for furnishing any of the search fee, examination fee, or the both or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).		\$ 130.00		CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	45 - 45 =	25	x 50.00	Independent claims	4 - 3 =	1	x 200.00	MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+ 360.00	0.00			TOTAL OF ABOVE CALCULATIONS =	\$ 130.00	<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.						SUBTOTAL =	\$ 130.00	Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(l)).		\$				TOTAL NATIONAL FEE =	\$ 130.00	Fee for recording the enclosed assignment (37 CFR 1.21(h)). 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PTO-1390 (Rev. 07-2005)

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a. A check in the amount of \$ _____ to cover the above fees is enclosed.

b. Please charge my Deposit Account No. 03-1952 in the amount of \$ 130.00 to cover the above fees.
A duplicate copy of this sheet is enclosed.

c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-1952. A duplicate copy of this sheet is enclosed.

d. Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038

NOTE: Where an appropriate time limit under 37 CFR 1.485 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.


SIGNATURE

SEND ALL CORRESPONDENCE TO:

Peter J. Yim

NAME

CUSTOMER NUMBER: 20872

44,417

REGISTRATION NUMBER

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (571) 273-3201, on the date shown below.

Dated: September 18, 2006Signature: Valerie Cohen
(Valerie Cohen)



UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/556,239	Thomas Schnelle	60621200100
RECEIVED		INTERNATIONAL APPLICATION NO.
20872 MORRISON & FOERSTER LLP 425 MARKET STREET SAN FRANCISCO, CA 94105-2482		PCT/EP04/04981
SEP 14 2006 MORRISON & FOERSTER		LA. FILING DATE PRIORITY DATE
		05/10/2004
CONFIRMATION NO. 3800		
371 FORMALITIES LETTER		
 OC000000020360189		

Date Mailed: 09/08/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 11/08/2005
- Copy of the International Search Report filed on 11/08/2005
- Copy of IPE Report filed on 11/08/2005
- Copy of Annexes to the IPER filed on 11/08/2005
- Preliminary Amendments filed on 11/08/2005
- Information Disclosure Statements filed on 11/08/2005
- U.S. Basic National Fees filed on 11/08/2005
- Priority Documents filed on 11/08/2005
- Specification filed on 11/08/2005
- Claims filed on 11/08/2005
- Abstracts filed on 11/08/2005
- Drawings filed on 11/08/2005

Miss. - Prey
DOCKETED *✓*
11/8/06

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

Additionally the following defects have been observed:

- Annexes have not been entered because Not a page for page substitution.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION,

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NO. 036 PP. 32 of 2

WHICHEVER IS LATER, FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/556,239	PCT/EP04/04981	60621200160

FORM PCT/DO/EO/905 (871 Formalities Notice)